



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

February 8, 2021

VIA ECF

Hon. Katherine P. Failla  
United States District Judge  
United States District Court  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: *Edma, et al. v. Wolf, et al.*, No. 20 Civ. 10762 (KPF)**

Dear Judge Failla:

This Office represents the government in this action in which the plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Petition for Alien Relative (Form I-130) and Application to Register Permanent Residence or to Adjust Status (Form I-485). On behalf of the government, I write respectfully to request an on-consent extension of time of sixty days to respond to the complaint (*i.e.*, from February 22, 2021 to April 23, 2021). I also respectfully request that the initial conference presently scheduled for April 14, 2021 be adjourned to the week of April 26, 2021 or thereafter.

The extension is respectfully requested because USCIS has scheduled an interview for plaintiffs in regard to their Form I-130 and Form I-485 for February 17, 2021. The government anticipates that the requested extension will provide adequate time for USCIS to conduct the interview and then to determine what next steps may be necessary with respect to plaintiffs’ petition and application or to proceed to take adjudicative action, which potentially would render this action moot. This is the government’s first request for an extension of the deadline to respond to the complaint and to adjourn the initial conference. Plaintiffs’ counsel consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

By: s/ Michael J. Byars  
MICHAEL J. BYARS  
Assistant United States Attorney  
Telephone: (212) 637-2793  
Facsimile: (212) 637-2786  
E-mail: michael.byars@usdoj.gov

cc: Counsel of record (via ECF)

Application GRANTED. The Government shall respond to the complaint on or before **April 23, 2021**. The initial pretrial conference scheduled for April 14, 2021, is ADJOURNED to **May 5, 2021, at 11:00 a.m.**

Dated: February 8, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE